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Swiftwater PA 18370

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**OFFICE OF PETITIONS**

In re Application of :  
Sheena M. Loosmore et al :  
Application No. 09/936,362 : DECISION ON PETITION  
Filed: December 19, 2001 :  
Attorney Docket No. :  
1038-1190 MIS:jb

This is a decision on the petition under 37 CFR 1.137(b), filed March 4, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement, mailed March 26, 2003, which set a shortened statutory period for reply of one (1) month. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on April 29, 2003 (April 26, 2003, the due date, was a Saturday). A Notice of Abandonment was mailed on October 7, 2003.

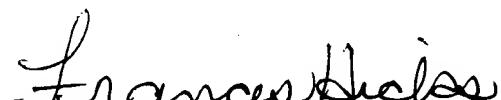
The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an election, (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the reply to the Office action of March 26, 2003 is accepted as being unintentionally delayed.

It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has

not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This application is being referred to Technology Center AU 1645 for appropriate action in the normal course of business on the reply received March 4, 2005.



Frances Hicks

Petitions Examiner  
Office of Petitions



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/936,362	12/19/2001	Sheena M. Loosmore	1038-1190 MIS:jb

**CONFIRMATION NO. 3637**

**POWER OF ATTORNEY NOTICE**



OC000000027138496

Date Mailed: 12/06/2007

PATRICK J. HALLORAN  
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SWIFTWATER, PA 18370

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 03/04/2005.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/fmhicks/

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Office of Initial Patent Examination (571) 272-4000 or 1-800-PTO-9199



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/936,362	12/19/2001	Sheena M. Loosmore	1038-1190 MIS:jb

**CONFIRMATION NO. 3637**

**POA ACCEPTANCE LETTER**



OC000000027138659\*

Date Mailed: 12/06/2007

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 03/04/2005.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/fmhicks/

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Office of Initial Patent Examination (571) 272-4000 or 1-800-PTO-9199